

**GLASTONBURY TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JANUARY 8, 2019**

The Glastonbury Town Council with Town Manager, Richard J. Johnson, in attendance, held a Regular Meeting at 7:00 p.m. at the Council Chambers of Town Hall, 2155 Main Street, Glastonbury, Connecticut.

1. Roll Call

Council Members

Mr. Thomas P. Gullotta, Chairman
Dr. Stewart Beckett III
Ms. Deborah A. Carroll
Mr. Kurt P. Cavanaugh
Ms. Mary LaChance
Mr. Lawrence Niland
Mr. George P. Norman *{excused}*
Mr. Whit C. Osgood
Vacant

(a) **Pledge of Allegiance.**

Led by Mr. McChesney

(b) **Action to appoint Jacob (Jake) McChesney to Town Council**

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby appoints Mr. Jacob (Jake) McChesney to the Town Council to fill the unexpired term of Vice Chairman Jill Barry.

Result: Motion passes unanimously {7-0-0}

Mr. McChesney was recognized for the remainder of the meeting.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby adds to the agenda the election of Vice President.

Result: Motion passes unanimously {8-0-0}

Nomination By: Ms. Carroll

Seconded By: Dr. Beckett

Nominate Mr. Lawrence Niland for Vice Chairman. Hearing nothing further, nominations were closed.

Result: Mr. Lawrence Niland was elected Vice Chairman by a unanimous vote. {8-0-0}

2. Public Comment.

Mr. David Brown of 61 Coach Road was critical of the town considering an aquatics facility complaining about high taxes, responding to special interest groups for expensive projects and for doing a project that is not profitable. He said that the special interest group should only get the aquatics facility if they fund it themselves.

Ms. Anne Bowman of 62 Morgan Drive expressed support of the ban on plastic bags saying they take up to 1000 years to biodegrade and harm the oceans and marine life. She asked the Council to join her in support of sending the proposal to the Policy and Ordinance Subcommittee.

Ms. Christine Witkowski of 708 Goodale Hill Road explained that she was a professor of environmental science at Middlesex and while some students start off skeptical, examining the evidence is convincing. She expressed support of the ban.

Ms. Laura Levine of 12 Tanglewood Drive said her daughter lives in Hawaii and their beaches are covered in plastic despite having a ban for some time. She said that they have to do something, one billion bags are used in the state every year and most not recycled properly. She expressed support of the ban.

Ms. Kate Morgan of 36 Tanglewood Drive expressed support of the ban on plastic bags saying she spent time in California where they don't use plastic bags yet at the local grocery store, she had a difficult time finding a register that carried paper.

Ms. Lesley Mroz of 121 Heywood Drive expressed support of the ban on plastic bags saying that Ireland and England both gave them up. She noted that seafood is increasingly contaminated with small bits of plastic that are being consumed by people.

Mr. Harold Harris of 101 Laurel Trail said he and his wife do not use plastic bags, they bring their own, but he preferred education over regulation.

Ms. Janet Zook of 222 Williams Street expressed support of the ban on plastic bags speaking to the concern for their oceans.

Ms. Beth Hillson of 262 Cedar Ridge Drive expressed support of the ban on plastic bags saying it gets into what they eat and referenced a recent article in the Hartford Courant and the announcement that Big Y will be removing plastic bags from their stores.

Ms. Jen Siskind of 101 Fairview Terrace expressed support of the ban on plastic bags and commended the Council for getting this on the agenda. She said that sometimes it takes top down action as not every citizen is willing to comply based on education alone. She said that the bags blow into the river and make their way to the sound and ocean remarking that a hundred thousand bags are pulled from the sound every year. She also suggested allowing the stores to charge for the paper bags to recoup their cost. She noted that the organization reviewed the regulations passed by other towns and that they were happy to work with the subcommittee to explain the reasoning behind some of the language. She said that they should be promoting people bringing their own bags.

Ms. Laura Perry of 1995 Main Street expressed support for people to bring your own bag and encouraged all to make an effort to do that.

Ms. Kim McClain of 212 Sunset Drive noted that she serves on the Conservation Commission but was speaking as a citizen. She expressed support of the ban on plastic bags saying they contaminate recyclables; every person uses an average of 83 annually and it takes 12 Million barrels of oil to make the bags used by Americans annually. She said that there is some good early data in places where there have been bans. She commented that there is a person at the transfer station raking bags out of recyclables and that they could do a lot to promote their cause.

3. Special Reports.

(a) Presentation on options for existing dam along Roaring Brook – Town-owned former Slocomb Mill property.

Mr. Johnson reviewed his memo to the Council on the subject dated January 4, 2019. Ms. Laura Wildman of Princeton Hydro reviewed some slides with pictures, historical information, a summary of previous investigations and recommendations summarizing their report to the town. She noted that the current status of the dam is unsatisfactory thus, the option of doing nothing would be a violation. She explained the other two options of a rebuild at an expense estimated to be \$3-\$5M including an eel way, ongoing costs and regulatory requirements with little or no likelihood for grant money or a partial removal which would improve water quality and reduce risk at an expense of about \$300K and potential for grant money. She said that they recommend partial removal.

Vice Chairman Niland asked if a partial removal would require an access road to which Ms. Wildman said yes. Chairman Gullotta asked if partial removal would allow for leaving elements

of historical interest to which Ms. Wildman said yes. Dr. Beckett asked why they couldn't take down two or three sections of the dam instead of all of it. Ms. Wildman said that Dam Safety would have to be involved to ensure the structural integrity when done and it could ultimately cost more. Mr. Osgood asked the next step to which Mr. Johnson said that the Council needs to provide direction. Chairman Gullotta said they would discuss at the next agenda meeting. Mr. Osgood indicated a preference for the partial removal due to the costs and risks. In the meantime, he suggested consideration of a split rail fence to help prevent a fall over the wall and closing the lower level outlet to prevent a potential injury to someone in the water. Ms. Wildman noted that Dam Safety required the low-level outlet to be open but they could make an inquiry.

4. Old Business.

None

5. New Business.

(a) Discussion and action on proposed ordinance – Single Use Plastic Bags (refer to Policy & Ordinance Review Subcommittee).

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby refers the proposed ordinance concerning single-use plastic bags to the Policy & Ordinance Review Subcommittee for a report and recommendation.

Disc: Mr. Cavanaugh did not support the ordinance as written and wanted to know more about the genesis of the language, if there was a history of pollution from the bags in town and of bags clogging the sewers. He questioned their authority to restrict the businesses and said he would not support this motion. Dr. Beckett was sensitive to the comments from Mr. Harris and said that there is a place for plastic, it's cheaper and can get wet. He said he preferred a tax instead of a ban adding that when he walks on the farm he doesn't see bags but he does see coffee cups and lids. He questioned why they don't about other common plastics like dry cleaner bags, straws, cups and lids. Ms. Carroll said she would like this to go to the subcommittee as it is not in an ideal form, but she has seen bags, and this is a start.

Mr. Osgood said he did some research and said that plastic bags are two cents while paper are ten to twelve representing the energy required to make them. He didn't want town resources to drive the research but suggested the group come back with unbiased research on the pros and cons. Mr. Cavanaugh noted that when they looked at a panhandling ordinance, the result was to educate and not regulate. He suggested in this case, there was room between where we are now and making laws. Ms. LaChance said she was open to learning more and favored seeing what the subcommittee recommends. Mr. McChesney noted the interest from the public and expressed support for sending it to the subcommittee over stopping the process here. Chairman

Gullotta expressed concern for the health of the youth with regard to ingestion of plastic particles, thanked the organization for bringing the issue forward and expressed support of the motion. He said there are numerous examples of regulation across the country to be considered.

Result: Motion carries {6-2-0} with Mr. Cavanaugh and Mr. Osgood opposing.

JOINT PRELIMINARY PUBLIC HEARING – 8:00 P.M.

NO 1 APPLICATION BY THE CLAREMONT COMPANY, INC. FOR A MAJOR AMENDMENT TO THE SOMERSET SQUARE PLANNED AREA DEVELOPMENT – CONSTRUCTION OF A 4-STORY 131-ROOM HOTEL – 75 GLASTONBURY BOULEVARD

Ms. Khara Dodds, Town Planner, and Member of the Town Plan and Zoning Commission joined the Town Council. Mr. Johnson briefly reviewed his memo to the Council on the subject dated January 4, 2019. Attorney Peter Alter represented the applicant and explained that this is a major amendment with a major amendment already on file and thus should be treated as a brand-new application. He reviewed some history noting that the previous approval was for an apartment building but not able to secure unanimous consent from the other landowners, they went back to hospitality. He reviewed the proposal for a Marriot AC hotel which is a contemporary and upscale brand. He noted the streetscape is preserved with building and landscape up front and parking set back. He said they propose a 4-story building with 19% building coverage, 32% open space, parking (145) that exceeds the regulations (1/room@131) on their own property and use of the existing curb cut. He noted that they have a deeded right to use up to 42 spaces on adjacent property (#45) but the proposal does not show them taking advantage of that. Mr. Drew Queen, architect, said that this brand tends to be on the edge of cities like proposed. He reviewed the elevations.

Vice Chairman Niland asked if this was restricted by the existing covenant to which Attorney replied saying no. Vice Chairman Niland found the elevations harsh and not a good fit for Glastonbury Boulevard adding that it could be contemporary without being out of place. TPZ Chairman Sharon Purtill said she was hopeful they would find a true transition design saying she thought it was too grey. She said that they put a lot of effort into the design elements of the development echoing that it could be different and a transition but still fit within the overall development. She emphasized that the fast food development on Main Street should not be the standard. She indicated that she was open to discussing parking requirements versus needs and creative options. She encouraged them to maintain the sunken lawn element and while she was not supportive of current design, she felt they could work with them to arrive at something they both favored.

Dr. Beckett asked if it had a restaurant and why they didn't go for five or six floors. Attorney Alter said that there will be food for the guests and the size represents the brand. Dr. Beckett said that he didn't like the sheet steel continuing that the red brick compliments the existing. He said he wants to see a blend, part of the community as they have pride in their history. He urged them to seek an evolution but not a radical change. Mr. McChesney echoed that the elevations don't represent a transition but an erosion of the well thought out design of the development. TPZ Vice Chairman Keith Shaw asked if there was meeting, conference or banquet space. Attorney Alter said that there would be meeting rooms and space for small scale banquets but nothing large scale.

Ms. Carroll said there was an austerity to the design and that it wasn't transitional. She said that it should be more like the example development shared from Brighton. She asked if they would be charging for parking to which Attorney Alter said no. Mr. Cavanaugh asked if there financing was in place to which Attorney Alter said yes. Mr. Cavanaugh agreed this was not a transitional design and asked about the design elements of the development, Hartford Green in the windows, water struck brick and the roof structure. Attorney Alter was uncertain. Mr. Cavanaugh asked if they could keep the great lawn element and Attorney Alter said that they would look into it. Mr. Cavanaugh said that the elevations were ugly and depressing and needed some work but he supported the concept of a hotel.

TPZ Member Mike Botelho echoed the comments on the design saying they were stark and depressing without color. He also found the Brighton development more appealing. He wanted to ensure they had adequate parking and encouraged them to establish needs but wanted to be cautious. TPZ Member dissented saying that the development is dark and homogenous, and he found this light and bright. He also said that the lawn element was not central to him and he supported the use. He added that he did find the entrance to the hotel dark and would need signage. He asked if it was contingent on a franchise. Attorney Alter said it was secured. Mr. Osgood suggested they create a berm to screen the parking closest to the boulevard. Chairman Gullotta asked about employees and spaces for attendees at meetings. Attorney Alter said that the data gathered shows they should have plenty of parking but that TPZ would review the plan and the use to make that determination. Chairman Gullotta said that the color reminded him of 1950's drab.

Attorney Jeff Berry of 62 LaSalle Road, West Hartford represented his client saying that they could support the concept but expressed concern about the 42 spaces shared and felt it was important to demonstrate they have enough on their own property. TPZ Chairman Purtill suggested they get together and work it out with the applicant.

Ms. Rachel Supon of 508 Hopewell Road praised the original architect of the development.

TPZ Vice Chairman Shaw said that they propose 131 rooms and 145 spaces so they don't need the shared 42. He noted that being a PAD, they aren't bound by parking regulations but use them as a guideline. He asked about the guidelines if there was meeting space but Attorney Alter

said that they were not spelled out but they will provide an analysis. Hearing nothing further, Chairman Gullotta closed the public hearing.

Mr. McChesney recused himself from the following given he presided over the matter as a previous Member of TPZ. Ms. Khara Dodds, Town Planner, remained with the Town Manager for the following public hearing.

PUBLIC HEARINGS AND ACTION ON PUBLIC HEARINGS – 8:00 P.M.

NO 1 ACTION ON PROPOSED AMENDMENT TO BUILDING ZONE REGULATIONS – EXCAVATION AND FILLING OR REMOVAL OF EARTH PRODUCTS, SECTION 6.2 (CONTINUED FROM DECEMBER 4, 2018 COUNCIL MEETING).

Mr. Johnson reviewed his email to the Council on the subject dated January 4, 2019.

Ms. Jen Siskind of 101 Fairview Terrace questioned if TPZ could approve as nonconforming how that would impact the residents that spoke out against reducing the setback from 50’.

Chairman Gullotta said the proposal was denied so there won’t be grandfathering. Mr. Osgood supported a setback of 25’ and for grandfathering so people wouldn’t have to go to court to demonstrate they should be grandfathered. Vice Chairman Niland suggested they get something in writing from the town attorney about grandfathering versus nonconforming. Mr. Johnson said that the town attorney favored nonconforming, but he can get a written opinion. Dr. Beckett suggested they use the existing regulation of 9’ for the local limited roadways saying it was unfair to hold them to any higher standard. Ms. Carroll favored leaving the 50’ setback saying she’d prefer losing future excavation over the integrity of their neighborhoods. Mr. Osgood continued advocating for a grandfather clause.

Chairman Gullotta said that they are not going more rural but more suburban meaning this will be a greater burden on the community than it once may have been. Dr. Beckett noted that to meet those regulations, a property owner would have to have 120’ frontage. Chairman Gullotta said that the trucks are so much larger, they don’t have the road systems to accommodate them. Vice Chairman Niland suggested changing “may” to “shall” in the requirement under 6.2.7.3. A consensus was reached to leave the regulation at 50’ with Dr. Beckett dissenting per the discussion. Mr. Osgood noted that his issue is how the town addresses the existing operations that don’t meet the regulations. Hearing nothing further, Chairman Gullotta closed the public hearing and no action was taken.

Mr. McChesney returned and was recognized for the remainder of the meeting.

NO 2 ACTION ON APPROPRIATION AND TRANSFER FROM CAPITAL RESERVE-UNASSIGNED FUND BALANCE TO CAPITAL PROJECTS-GRANGE POOL - \$350,000

Mr. Johnson reviewed his memo to the Council on the subject dated January 4, 2019, emphasizing that without this work, the pool will be closed. Chairman Gullotta called for public comment but no one spoke. Mr. Johnson reviewed his

Mr. Bob Nighan of 22 Gates Farm Road said he was a big fan of Grange Pool calling it a jewel for area families that would never be replaced if torn down. He favored the work.

Mr. John Languay of Main Street and Parks and Recreation Commission spoke in favor of the pool as part of their programming and for family recreation.

Ms. Rachel Supon of 509 Hopewell said she lives right across the street and uses it often. She said that there is an incredible history and wonderful location next to Cotton Hollow. She advocated to save the Grange Pool and for a year-round facility given it is a lifetime activity.

Mr. Stephen Becker of 611 Chestnut Hill Road echoed the remarks of Rachel in support of the Grange but also for consideration of a facility to meet broader needs.

Mr. Cavanaugh asked about the repairs. Mr. Johnson said that they did look at a comprehensive approach noting there are access issues and issues in the bathhouse. He said that this is a 5-year fix. Mr. Osgood expressed support. Vice Chairman Niland expressed support asking about leak. Mr. Johnson said that they did find a source of the leak and hope it is most or all of the leak. Dr. Beckett expressed support for the funding saying it was reasonable for a 5-year fix. Ms. Carroll said that anything in the works for another facility would take a while so this is reasonable. Mr. McChesney questioned the certainty of the 5-years. Mr. Johnson explained that they worked with the consultants and based on the information they have now, 5-years is a good number. Ms. LaChance said she supports this action as they explore their overall needs. Chairman Gullotta expressed support saying that helps meet the needs and is fiscally responsible. He also said that it was good to hear people speak out in support of this facility.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby approves a \$350,000 appropriation and transfer from the Capital Reserve-Unassigned Fund Balance to Capital Projects-Grange Pool for repairs to the Grange Pool as described in a report by the Town Manager dated January 4, 2019 and as recommended by the Board of Finance.

Result: Motion passes unanimously {8-0-0}

5. New Business.

Continued

(b) Action concerning repaving of Route 17 – center line rumble strips (schedule public information hearing).

Mr. Johnson briefly reviewed his memo to the Council on the subject dated January 4, 2019.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby schedules a public information hearing for 8:00 p.m. on Tuesday, January 22, 2019 to consider the proposal by State DOT to install center line rumble strips as part of the Route 17 repaving project scheduled for summer 2019 as described in a report by the Town Manager dated January 4, 2019.

Result: Motion passes unanimously {8-0-0}

6. Consent Calendar.

(a) Action to amend the 2019 Regular Council Meeting Schedule.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby amends the Regular Council Meeting Schedule for 2019 to reschedule the Tuesday, October 8, 2019 meeting to Wednesday, October 9, 2019 at 7:00 p.m. in Council Chambers.

Result: Motion passes unanimously {8-0-0}

7. Town Manager's Report.

Mr. Johnson reviewed his memo to the Council on the subject dated January 4, 2019.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby recognizes receipt of the expense report from the Town Manager for the months October through December, 2018.

Result: Motion passes unanimously {8-0-0}

A discussion ensued on the idea of an 8-10' bituminous multi-use path between Mallard Drive and Stockade on Main Street. Dr. Beckett said that they asked for wider shoulders for safety but the state said no. Ms. Carroll pointed out a great article in the most recent Smithsonian about Corporal Jimenez who was injured in Afghanistan. Mr. Cavanaugh asked about 340 Hebron Avenue, the property adjacent company one the trees on the Home Depot property. Mr. Johnson said that there is a financial accounting/planning company interested in 340 Hebron, a restaurant in the parcel next to company one and they are still investigating the tree issue. Mr. Cavanaugh suggested getting the word out to the residents about the significant tree issue. Mr. Johnson said

that the drought had created issues along with disease and he would look into the process and how they let people know. Mr. Cavanaugh asked about cutting at Williams. Chairman Gullotta said that it could be something they consider, selective cutting on that property. Mr. Cavanaugh noted that he read that the state was doing a burn on a property to thin the vegetation. He asked about the boathouse roof. Mr. Johnson said that he was unaware of a permanent fix but would check. Mr. Osgood asked about marking public access areas. Mr. Johnson said that they are working on it. Chairman Gullotta praised the December boathouse event and asked Mr. Johnson to convey his thanks. He suggested they consider something in the spring like a plant sale.

8. Committee Reports.

(a) Chairman's Report.

Chairman Gullotta said he would take the open spot on the Policy and Ordinance Review subcommittee. He said he wouldn't be here for CIP but perhaps he could phone in. He suggested they consider a town-wide facility study to have an outsider make suggestions. Mr. Cavanaugh said that there was support to allow Town Council Members to phone in and Chairman Gullotta had opposed it even though the state regulations allow it. Chairman Gullotta said that he opposed people calling in a vote but he would just be listening.

(b) MDC.

Mr. Osgood said there was no update.

(c) CRCOG.

Dr. Beckett said there was no update.

(d) Policy & Ordinance Review Committee report and recommendation on Advisory Boards and Commissions.

Ms. Carroll said that they sent out a survey to the boards and commissions and some suggested minimum meetings and coming to the Council periodically to report on their activities.

9. Communications.

- (a) **Thank you letter from Glastonbury MLK Community Initiative.**
- (b) **Letter from CT Siting Council regarding modifications to existing telecommunications facility located at 58A Montano Road.**

10. Minutes.

- (a) **Minutes of December 4, 2018 Regular Meeting.**

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby approves as submitted, the minutes of the meeting held December 4, 2018.

Result: Motion carries by the following vote {7-0-1} *Mr. McChesney abstained as he was not yet on the Town Council.*

11. Appointments and Resignations.

- (a) **Appointment of Christopher Griffin to the Town Plan and Zoning Commission (member) to fill the unexpired term of Jacob (Jake) McChesney (D-2019).**
- (b) **Appointment of Alice Sexton to the Town Plan and Zoning Commission (alternate member) to fill the unexpired term of Christopher Griffin (D-2019).**
- (c) **Appointment of Jessica Wallace to the Recreation Commission to fill the unexpired term of Daniel Durso (D-2021).**

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby appoints Christopher Griffin to the Town Plan and Zoning Commission (member) to fill the unexpired term of Jacob (Jake) McChesney (D-2019), Alice Sexton to the Town Plan and Zoning Commission (alternate member) to fill the unexpired term of Christopher Griffin (D-2019, and Jessica Wallace to the Recreation Commission to fill the unexpired term of Daniel Durso (D-2021).

Result: Motion passes unanimously {8-0-0}

12. Executive Session.

(a) Potential land acquisition.

(b) Pending litigation – Riverfront Park.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby enters into executive session at 10:23 pm for the purpose of discussing potential land acquisition and pending litigation- Riverfront Park.

Result: Motion passes unanimously {8-0-0}.

Present for the Executive Session were council members, Mr. Tom Gullotta, Chairman, Mr. Lawrence Niland, Vice Chairman, Dr. Chip Beckett, Ms. Deborah A. Carroll, Mr. Kurt P. Cavanaugh, Ms. Mary LaChance, Mr. Jacob McChesney and Mr. Whit Osgood with town Manager, Richard J. Johnson.

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby exits executive session at 10:45 pm.

Result: Motion passes unanimously {8-0-0}.

13. Adjournment

Motion By: Ms. Carroll

Seconded By: Dr. Beckett

BE IT RESOLVED, that the Glastonbury Town Council hereby adjourns their regular meeting of January 8, 2018, at 10:46 pm.

Result: Motion passes unanimously {8-0-0}.

Respectfully submitted,

Kimberly Meanix Miller

**Kimberly Meanix Miller
Recording Clerk**

**Thomas Gullotta
Chairman**